



General Assembly

Amendment

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LCO No. 3778

SB0028803778SD0

Offered by:

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

SEN. GAFFEY, 13th Dist.

SEN. HANDLEY, 4th Dist.

SEN. MCDONALD, 27th Dist.

SEN. STILLMAN, 20th Dist.

SEN. SLOSSBERG, 14th Dist.

To: Senate Bill No. 288

File No. 91

Cal. No. 89

"AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL CORRECTIONS TO THE GENERAL GOVERNMENT ADMINISTRATION AND ELECTIONS STATUTES."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 1. Section 17a-22j of the general statutes is repealed
4 and the following is substituted in lieu thereof (*Effective October 1,*
5 *2010*):

6 (a) There is established a Behavioral Health Partnership Oversight
7 Council which shall advise the Commissioners of Children and
8 Families and Social Services on the planning and implementation of
9 the Behavioral Health Partnership.

10 (b) The council shall consist of the following members:

11 (1) Four appointed by the speaker of the House of Representatives;
12 two of whom are representatives of general or specialty psychiatric
13 hospitals; one of whom is an adult with a psychiatric disability; and
14 one of whom is an advocate for adults with psychiatric disabilities;

15 (2) Four appointed by the president pro tempore of the Senate, two
16 of whom are parents of children who have a behavioral health
17 disorder or have received child protection or juvenile justice services
18 from the Department of Children and Families; one of whom has
19 expertise in health policy and evaluation; and one of whom is an
20 advocate for children with behavioral health disorders;

21 (3) Two appointed by the majority leader of the House of
22 Representatives; one of whom is a primary care provider serving
23 children pursuant to the HUSKY Plan; and one of whom is a child
24 psychiatrist serving children pursuant to the HUSKY Plan;

25 (4) Two appointed by the majority leader of the Senate; one of
26 whom is either an adult with a substance use disorder or an advocate
27 for adults with substance use disorders; and one of whom is a
28 representative of school-based health clinics;

29 (5) Two appointed by the minority leader of the House of
30 Representatives; one of whom is a provider of community-based
31 behavioral health services for adults; and one of whom is a provider of
32 residential treatment for children;

33 (6) Two appointed by the minority leader of the Senate; one of
34 whom is a provider of community-based services for children with
35 behavioral health problems; and one of whom is a member of the
36 advisory council on Medicaid managed care;

37 (7) Four appointed by the Governor; two of whom are
38 representatives of general or specialty psychiatric hospitals and two of
39 whom are parents of children who have a behavioral health disorder
40 or have received child protection or juvenile justice services from the
41 Department of Children and Families;

42 (8) The chairpersons and ranking members of the joint standing
43 committees of the General Assembly having cognizance of matters
44 relating to human services, public health, appropriations and the
45 budgets of state agencies, or their designees;

46 [(9) A member of the Community Mental Health Strategy Board,
47 established pursuant to section 17a-485b, as selected by said board;]

48 [(10)] (9) The Commissioner of Mental Health and Addiction
49 Services, or said commissioner's designee;

50 [(11)] (10) Seven nonvoting ex-officio members, one each appointed
51 by the Commissioners of Social Services, Children and Families,
52 Mental Health and Addiction Services and Education to represent his
53 or her department and one appointed by the State Comptroller, the
54 Secretary of the Office of Policy and Management and the Office of
55 Health Care Access to represent said offices;

56 [(12)] (11) One or more consumers appointed by the chairpersons of
57 the council, to be nonvoting ex-officio members; and

58 [(13)] (12) One representative from the administrative services
59 organization and from each Medicaid managed care organization, to
60 be nonvoting ex-officio members.

61 (c) All appointments to the council shall be made no later than July
62 1, 2005, except that the chairpersons of the council may appoint
63 additional consumers to the council as nonvoting ex-officio members.
64 Any vacancy shall be filled by the appointing authority.

65 (d) The chairpersons of the advisory council on Medicaid managed
66 care shall select the chairpersons of the Behavioral Health Partnership
67 Oversight Council from among the members of such oversight council.
68 Such chairpersons shall convene the first meeting of the council, which
69 shall be held not later than August 1, 2005. The council shall meet at
70 least monthly thereafter.

71 (e) The Joint Committee on Legislative Management shall provide

72 administrative support to the chairpersons and assistance in convening
73 the council's meetings.

74 (f) The council shall make specific recommendations on matters
75 related to the planning and implementation of the Behavioral Health
76 Partnership which shall include, but not be limited to: (1) Review of
77 any contract entered into by the Departments of Children and Families
78 and Social Services with an administrative services organization, to
79 assure that the administrative services organization's decisions are
80 based solely on clinical management criteria developed by the clinical
81 management committee established in section 17a-22k; (2) review of
82 behavioral health services pursuant to Title XIX and Title XXI of the
83 Social Security Act to assure that federal revenue is being maximized;
84 and (3) review of periodic reports on the program activities, finances
85 and outcomes, including reports from the director of the Behavioral
86 Health Partnership on achievement of service delivery system goals,
87 pursuant to section 17a-22i. The council may conduct or cause to be
88 conducted an external, independent evaluation of the Behavioral
89 Health Partnership.

90 (g) On or before March 1, 2006, and annually thereafter, the council
91 shall submit a report to the Governor and, in accordance with section
92 11-4a, to the joint standing committees of the General Assembly having
93 cognizance of matters relating to human services, public health and
94 appropriations and the budgets of state agencies, on the council's
95 activities and progress.

96 Sec. 502. Section 17a-22aa of the general statutes is repealed and the
97 following is substituted in lieu thereof (*Effective October 1, 2010*):

98 The Commissioner of Children and Families, in consultation with
99 the Commissioner of Mental Health and Addiction Services, [and the
100 Community Mental Health Strategy Board, established under section
101 17a-485b,] shall, within available appropriations, maintain the
102 availability of flexible emergency funding for children with psychiatric
103 disabilities who are not under the supervision of the Department of

104 Children and Families.

105 Sec. 503. Section 17a-451e of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective October 1, 2010*):

107 Any moneys received by the state from the sale, lease or transfer of
108 all or any part of Fairfield Hills Hospital shall be allocated to the
109 Department of Mental Health and Addiction Services [and shall be
110 divided equally between the General Fund accounts for the
111 Community Mental Health Strategy Board and] for grants for mental
112 health services.

113 Sec. 504. Subsection (c) of section 17a-485d of the general statutes is
114 repealed and the following is substituted in lieu thereof (*Effective*
115 *October 1, 2010*):

116 (c) The Commissioner of Social Services shall take such action as
117 may be necessary to amend the Medicaid state plan to provide for
118 coverage of optional adult rehabilitation services supplied by
119 providers of mental health services or substance abuse rehabilitation
120 services for adults with serious and persistent mental illness or who
121 have alcoholism or other substance abuse conditions, that are certified
122 by the Department of Mental Health and Addiction Services. [For the
123 fiscal years ending June 30, 2004, and June 30, 2005, up to three million
124 dollars in each such fiscal year of any moneys received by the state as
125 federal reimbursement for optional Medicaid adult rehabilitation
126 services shall be credited to the Community Mental Health Restoration
127 subaccount within the account established under section 17a-485 and
128 shall be available for use for the purposes of the subaccount.] The
129 Commissioner of Social Services shall adopt regulations, in accordance
130 with the provisions of chapter 54, to implement optional rehabilitation
131 services under the Medicaid program. The commissioner shall
132 implement policies and procedures to administer such services while
133 in the process of adopting such policies or procedures in regulation
134 form, provided notice of intention to adopt the regulations is printed
135 in the Connecticut Law Journal within forty-five days of

136 implementation, and any such policies or procedures shall be valid
137 until the time final regulations are effective.

138 Sec. 505. Subsection (a) of section 17b-263a of the general statutes is
139 repealed and the following is substituted in lieu thereof (*Effective*
140 *October 1, 2010*):

141 (a) On or before December 31, 2006, the Commissioner of Social
142 Services, in consultation with the Commissioner of Mental Health and
143 Addiction Services, [and the Community Mental Health Strategy
144 Board, established under section 17a-485b,] shall take such action as is
145 necessary to amend the Medicaid state plan to include assertive
146 community treatment teams and community support services within
147 the definition of optional adult rehabilitation services. Such
148 community treatment teams shall provide intensive, integrated,
149 multidisciplinary services to adults with severe psychiatric disabilities,
150 including, but not limited to, persons who are homeless, persons
151 diverted or discharged from in-patient programs or nursing homes
152 and persons diverted or released from correctional facilities, or who
153 are at risk of incarceration, and such teams shall provide intensive
154 community care management through case managers, nurses and
155 physicians and shall include, but not be limited to, vocational, peer
156 and substance abuse specialists. The Commissioner of Social Services
157 shall adopt regulations, in accordance with the provisions of chapter
158 54, for purposes of establishing the services specified in this
159 subsection. The Commissioner of Social Services may implement
160 policies and procedures for purposes of establishing such services
161 while in the process of adopting such policies or procedures in
162 regulation form, provided notice of intention to adopt the regulations
163 is printed in the Connecticut Law Journal no later than twenty days
164 after implementation and any such policies and procedures shall be
165 valid until the time the regulations are effective.

166 Sec. 506. Subsection (a) of section 17b-602a of the general statutes is
167 repealed and the following is substituted in lieu thereof (*Effective*
168 *October 1, 2010*):

169 (a) The Department of Social Services, in consultation with the
170 Department of Mental Health and Addiction Services, [and the
171 Community Mental Health Strategy Board established under section
172 17a-485b,] may seek approval of an amendment to the state Medicaid
173 plan or a waiver from federal law, whichever is sufficient and most
174 expeditious, to establish and implement a Medicaid-financed home
175 and community-based program to provide community-based services
176 and, if necessary, housing assistance, to adults with severe and
177 persistent psychiatric disabilities being discharged or diverted from
178 nursing home residential care.

179 Sec.507. Subsection (e) of section 38a-1041 of the general statutes is
180 repealed and the following is substituted in lieu thereof (*Effective*
181 *October 1, 2010*):

182 (e) On or before October 1, 2005, the Managed Care Ombudsman [,
183 in consultation with the Community Mental Health Strategy Board,
184 established under section 17a-485b,] shall establish a process to
185 provide ongoing communication among mental health care providers,
186 patients, state-wide and regional business organizations, managed care
187 companies and other health insurers to assure: (1) Best practices in
188 mental health treatment and recovery; (2) compliance with the
189 provisions of sections 38a-476a, 38a-476b, 38a-488a and 38a-489; and (3)
190 the relative costs and benefits of providing effective mental health care
191 coverage to employees and their families. On or before January 1, 2006,
192 and annually thereafter, the Healthcare Advocate shall report, in
193 accordance with the provisions of section 11-4a, on the implementation
194 of this subsection to the joint standing committees of the General
195 Assembly having cognizance of matters relating to public health and
196 insurance.

197 Sec. 508. Section 4b-66 of the general statutes is repealed and the
198 following is substituted in lieu thereof (*Effective October 1, 2010*):

199 (a) There shall continue to be a master plan for the development of
200 the Connecticut Capitol Center in Hartford within the following-

201 described area to be known as the Capitol Center District: All of the
202 land within the city of Hartford bounded by Bushnell Park, Wells
203 Street, Main Street, Buckingham Street, Wadsworth Street to Cedar
204 Street following the rear property lines of property fronting on
205 Buckingham Street, Cedar Street, a line extended east from Grand
206 Street, Grand Street, Oak Street, the parcel at the southwest corner of
207 Russ Street and Oak Street, Russ Street, Broad Street, and the right-of-
208 way of the New Haven Railroad to Bushnell Park. The Capitol Center
209 District shall, where feasible, be the location of the central offices, and
210 their ancillary facilities, of the three branches of the state government.
211 The district shall also contain those noncentral offices, and their
212 ancillary facilities, which serve the Hartford area and which can
213 feasibly fulfill their functions at this location, except that this shall not
214 prohibit the construction or leasing by the state of courts and
215 courthouses outside of the Capitol Center District. Nongovernmental
216 uses, including, but not limited to, social, cultural, residential, and
217 retail uses may be incorporated in the area as ancillary uses.

218 (b) The master plan shall include, but need not be limited to, the
219 following: Land use, property acquisition, business and residential
220 relocation, street system alignments and dimensions, internal
221 circulation systems, parking facilities, utilities and services systems,
222 landscaping, lighting and amenities, and building space use priorities,
223 including programming, controls and restrictions, provided such
224 master plan shall not provide for the acquisition of the property
225 known as the Horace Bushnell Memorial without prior certification by
226 the board of trustees of the Horace Bushnell Memorial Hall
227 Corporation that the acquisition by the state of said property is in
228 conformance with the plans of the corporation. As an integral part of
229 the master plan, there shall be a capital improvements program, both
230 short range and long range, indicating recommended scheduling of the
231 various phases of construction and estimated costs therefor in order
232 that the development of the Connecticut Capitol Center may be
233 undertaken in an orderly and logical way and so that the needs of the
234 central offices of state government can be met in a timely manner.

235 [(c) Not later than January 1, 2003, and every five years thereafter,
236 the Connecticut Capitol Center Commission established pursuant to
237 section 4b-66a shall (1) review the master plan, and (2) submit a report
238 on its findings and proposed changes to the master plan to the
239 Governor and to the joint standing committees of the General
240 Assembly having cognizance of matters relating to appropriations,
241 government administration and finance, revenue and bonding.]

242 Sec. 509. Subsection (d) of section 4b-3 of the 2010 supplement to the
243 general statutes is repealed and the following is substituted in lieu
244 thereof (*Effective October 1, 2010*):

245 (d) Notwithstanding any other statute or special act to the contrary,
246 the Commissioner of Public Works shall be the sole person authorized
247 to represent the state in its dealings with third parties for the
248 acquisition, construction, development or leasing of real estate for
249 housing the offices or equipment of all agencies of the state or for the
250 state-owned public buildings or realty hereinafter provided for in
251 sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, 4b-24, 4b-26, 4b-27,
252 4b-30, [and] 4b-32, [subsection (c) of section 4b-66 and sections] 4b-67
253 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89, 10a-90, 10a-114,
254 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9,
255 51-27d and 51-27f, except that the Joint Committee on Legislative
256 Management may represent the state in the planning and construction
257 of the Legislative Office Building and related facilities, in Hartford; the
258 Chief Court Administrator may represent the state in providing for
259 space for the Court Support Services Division as part of a new or
260 existing contract for an alternative incarceration program pursuant to
261 section 54-103b or a program developed pursuant to section 46b-121i,
262 46b-121j, 46b-121k or 46b-121l; the board of trustees of a constituent
263 unit of the state system of higher education may represent the state in
264 the leasing of real estate for housing the offices or equipment of such
265 constituent unit, provided no lease payments for such realty are made
266 with funds generated from the general revenues of the state; the Labor
267 Commissioner may represent the state in the leasing of premises
268 required for employment security operations as provided in subsection

269 (c) of section 31-250; the Commissioner of Developmental Services may
270 represent the state in the leasing of residential property as part of the
271 program developed pursuant to subsection (b) of section 17a-218,
272 provided such residential property does not exceed two thousand five
273 hundred square feet, for the community placement of persons eligible
274 to receive residential services from the department; and the
275 Connecticut Marketing Authority may represent the state in the
276 leasing of land or markets under the control of the Connecticut
277 Marketing Authority, and, except for the housing of offices or
278 equipment in connection with the initial acquisition of an existing state
279 mass transit system or the leasing of land by the Connecticut
280 Marketing Authority for a term of one year or more in which cases the
281 actions of the Department of Transportation and the Connecticut
282 Marketing Authority shall be subject to the review and approval of the
283 State Properties Review Board. The Commissioner of Public Works
284 shall have the power to establish and implement any procedures
285 necessary for the commissioner to assume the commissioner's
286 responsibilities as said sole bargaining agent for state realty
287 acquisitions and shall perform the duties necessary to carry out such
288 procedures. The Commissioner of Public Works may appoint, within
289 the commissioner's budget and subject to the provisions of chapter 67,
290 such personnel deemed necessary by the commissioner to carry out the
291 provisions hereof, including experts in real estate, construction
292 operations, financing, banking, contracting, architecture and
293 engineering. The Attorney General's office, at the request of the
294 commissioner, shall assist the commissioner in contract negotiations
295 regarding the purchase, lease or construction of real estate.

296 Sec. 510. Subsections (a) and (b) of section 19a-6h of the general
297 statutes are repealed and the following is substituted in lieu thereof
298 (*Effective October 1, 2010*):

299 (a) There is established a State-wide Primary Care Access Authority.
300 The authority shall consist of the Commissioners of Public Health and
301 Social Services, the Comptroller [, the chairpersons of the HealthFirst
302 Connecticut Authority established under section 19a-6g] and the

303 following members: One each appointed by the Connecticut Primary
304 Care Association, the Connecticut State Medical Society, the
305 Connecticut Chapter of the American Academy of Pediatrics, the
306 Connecticut Nurses Association, the Connecticut Association of
307 School-Based Health Centers, the Connecticut State Dental
308 Association, the Connecticut Community Providers Association and
309 the Weitzman Center for Innovation In Community Health and
310 Primary Care. Members shall serve for a term of four years
311 commencing on August 1, 2007. All initial appointments to the
312 committee shall be made by July 15, 2007. Any vacancy shall be filled
313 by the appointing authority.

314 (b) [The chairpersons of the HealthFirst Connecticut Authority
315 established under section 19a-6g shall serve as cochairpersons of the
316 State-wide Primary Care Access Authority.] The speaker of the House
317 of Representatives and the president pro tempore of the Senate shall
318 each select one chairperson of the State-wide Primary Care Access
319 Authority from among the members of the authority. Members shall
320 serve without compensation but shall, within available appropriations,
321 be reimbursed for expenses necessarily incurred in the performance of
322 their duties.

323 Sec. 511. Subsection (c) of section 8-336f of the general statutes is
324 repealed and the following is substituted in lieu thereof (*Effective*
325 *October 1, 2010*):

326 (c) The Commissioner of Economic and Community Development
327 may provide a local housing partnership with an initial designation
328 under the Connecticut housing partnership program upon receipt of
329 evidence satisfactory to the commissioner that the local housing
330 partnership has been formed in accordance with the provisions of
331 subsection (b) of this section and that sufficient local resources have
332 been committed to the local housing partnership. Upon such initial
333 designation, the commissioner shall provide technical assistance to the
334 local housing partnership which assistance shall include, but shall not
335 be limited to, the following: (1) The assignment of a primary contact

336 person in the Department of Economic and Community Development
337 to work directly with the local housing partnership, (2) obtaining
338 assistance from other state agencies, regional planning agencies [.] and
339 regional housing councils, [and the Housing Advisory Committee,
340 provided for under section 8-385,] on behalf of the local housing
341 partnership when necessary, (3) assisting the local housing partnership
342 in developing a comprehensive local housing strategy, (4) assisting the
343 local housing partnership in identifying available local resources, (5)
344 discussing possible ways to create affordable housing through the use
345 of conventional and alternative financing and through public and
346 private land use controls, (6) explaining the requirements of and the
347 types of assistance available under state housing programs, and (7)
348 providing information and advice concerning available federal and
349 private financial assistance for all aspects of housing development.

350 Sec. 512. Subsection (a) of section 21-84a of the general statutes is
351 repealed and the following is substituted in lieu thereof (*Effective*
352 *October 1, 2010*):

353 (a) There is established, within the Department of Consumer
354 Protection, a Mobile Manufactured Home Advisory Council composed
355 of fifteen members as follows: One member of the Connecticut Real
356 Estate Commission, one employee of the Department of Economic and
357 Community Development and one employee of the Connecticut
358 Housing Finance Authority to be appointed by the Governor; an
359 attorney-at-law specializing in mobile manufactured home matters to
360 be appointed by the speaker of the House of Representatives; one town
361 planner and one representative of the banking industry to be
362 appointed by the Governor; three mobile manufactured home park
363 owners, one to be appointed by the Governor, one to be appointed by
364 the minority leader of the Senate and one to be appointed by the
365 minority leader of the House of Representatives; a representative of
366 the mobile manufactured home industry to be appointed by the
367 majority leader of the House of Representatives; three mobile
368 manufactured home park tenants or representatives of such tenants,
369 each from different geographic areas of the state, one to be appointed

370 by the Governor, one to be appointed by the president pro tempore of
371 the Senate and one to be appointed by the majority leader of the
372 Senate; and a senior citizen, who is either a resident of a mobile
373 manufactured home park or a representative of other senior citizens
374 who reside in mobile manufactured home parks [, and a representative
375 of the Housing Advisory Committee] to be appointed by the Governor.
376 The mobile manufactured home park owners and the representative of
377 the mobile manufactured home industry shall be appointed from a list
378 submitted to the appointing authorities by the Connecticut
379 Manufactured Housing Association or its successor, if such
380 organization or successor exists. The mobile manufactured home park
381 tenants or tenant representatives and the senior citizen shall be
382 appointed from a list submitted to the appointing authorities by the
383 Connecticut Manufactured Home Owners Alliance or its successor, if
384 such organization or successor exists. The Governor shall appoint a
385 chairperson from among the members of the council. Members shall
386 serve for a term coterminous with the term of the Governor or until
387 their successors are appointed, whichever is later. Any vacancy shall
388 be filled by the appointing authority for the position which has become
389 vacant. Members of the council shall not be compensated for their
390 services. Any council member who fails to attend three consecutive
391 meetings or who fails to attend fifty per cent of all meetings held
392 during any calendar year shall be deemed to have resigned from office.

393 Sec. 513. Section 10-382 of the general statutes is repealed and the
394 following is substituted in lieu thereof (*Effective October 1, 2010*):

395 There is established a Native American Heritage Advisory Council
396 to evaluate and make recommendations on the Native American
397 heritage to the State Archaeologist and the Connecticut Commission
398 on Culture and Tourism. Such council shall consist of the following
399 members: One representing each of the following Indian tribes,
400 appointed by the tribe: The Schaghticoke, the Paucatuck Eastern
401 Pequot, the Mashantucket Pequot, the Mohegan and the Golden Hill
402 Paugussett; [one representing the Indian Affairs Council, appointed by
403 the chairperson of the council;] one representing the Commissioner of

404 Environmental Protection, appointed by said commissioner; one
405 representing the Archaeological Society of Connecticut, appointed by
406 the president pro tempore of the Senate; and three who are
407 knowledgeable in Native American history, traditions and
408 archaeology, one appointed by the speaker of the House of
409 Representatives, one appointed by the minority leader of the House of
410 Representatives and one appointed by the minority leader of the
411 Senate.

412 Sec. 514. Subsection (b) of section 10a-112 of the general statutes is
413 repealed and the following is substituted in lieu thereof (*Effective*
414 *October 1, 2010*):

415 (b) The Board of Directors of the State Museum of Natural History
416 shall appoint a State Archaeologist and staff for the Office of
417 Archaeology established pursuant to section 10a-112a. The State
418 Archaeologist shall have the following powers and duties: (1) To
419 supervise the care and study of the archaeological collection of the
420 State Museum of Natural History; (2) to coordinate (A) the
421 archaeological salvage of properties threatened with destruction, (B)
422 public and private archaeological research and the encouragement of
423 the highest possible standards in archaeological investigations, and (C)
424 the preservation of native American and other human osteological
425 remains and cemeteries with the Connecticut Commission on Culture
426 and Tourism, the Office of the Chief Medical Examiner [, the Indian
427 Affairs Council] and other state agencies; (3) to conduct research on the
428 state's prehistory and history and disseminate the results of such
429 research through publications and other means; (4) to educate the
430 public about the significance and fragility of archaeological resources;
431 (5) to respond to inquiries about the state's archaeological resources;
432 and (6) to maintain comprehensive site files and maps.

433 Sec. 515. Subsection (e) of section 19a-4j of the general statutes is
434 repealed and the following is substituted in lieu thereof (*Effective*
435 *October 1, 2010*):

436 (e) The Commissioner of Public Health shall submit an annual
437 report concerning the activities of the office to the Governor, the
438 General Assembly, the Permanent Commission on the Status of
439 Women established under section 46a-1, the Latino and Puerto Rican
440 Affairs Commission established under section 2-120 [, the Indian
441 Affairs Council established under section 47-59b] and the Connecticut
442 African-American Affairs Commission. The office shall also hold
443 community workshops and use other means to disseminate its
444 findings state-wide.

445 Sec. 516. Subsection (a) of section 38a-1051 of the 2010 supplement
446 to the general statutes is repealed and the following is substituted in
447 lieu thereof (*Effective October 1, 2010*):

448 (a) Whereas the General Assembly finds that: (1) Equal enjoyment of
449 the highest attainable standard of health is a human right and a
450 priority of the state, (2) research and experience demonstrate that
451 inhabitants of the state experience barriers to the equal enjoyment of
452 good health based on race, ethnicity, gender, national origin and
453 linguistic ability, and (3) addressing such barriers, and others that may
454 arise in the future, requires: The collection, analysis and reporting of
455 information, the identification of causes, and the development and
456 implementation of policy solutions that address health disparities
457 while improving the health of the public as a whole therefore, there is
458 established a Commission on Health Equity with the mission of
459 eliminating disparities in health status based on race, ethnicity, gender
460 and linguistic ability, and improving the quality of health for all of the
461 state's residents. Such commission shall consist of the following
462 commissioners, or their designees, and public members: (A) The
463 Commissioners of Public Health, Mental Health and Addiction
464 Services, Developmental Services, Social Services, Correction, Children
465 and Families, and Education; (B) the dean of The University of
466 Connecticut Health Center, or his designee; (C) the director of The
467 University of Connecticut Health Center and Center for Public Health
468 and Health Policy, or their designees; (D) the dean of the Yale
469 University Medical School, or his designee; (E) the dean of Public

470 Health and the School of Epidemiology at Yale University, or his
471 designee; (F) one member appointed by the president pro tempore of
472 the Senate, who shall be a member of an affiliate of the National Urban
473 League; (G) one member appointed by the speaker of the House of
474 Representatives, who shall be a member of the National Association
475 for the Advancement of Colored People; (H) one member appointed
476 by the majority leader of the House of Representatives, who shall be a
477 member of the Black and Puerto Rican Caucus of the General
478 Assembly; (I) one member appointed by the majority leader of the
479 Senate with the advice of the Native American Heritage Advisory
480 Council, [or the chairperson of the Indian Affairs Council,] who shall
481 be a representative of the Native American community; (J) one
482 member appointed by the minority leader of the Senate, who shall be a
483 representative of an advocacy group for Hispanics; (K) one member
484 appointed by the minority leader of the House of Representatives, who
485 shall be a representative of the state-wide Multicultural Health
486 Network; (L) the chairperson of the African-American Affairs
487 Commission, or his or her designee; (M) the chairperson of the Latino
488 and Puerto Rican Affairs Commission, or his or her designee; (N) the
489 chairperson of the Permanent Commission on the Status of Women, or
490 his or her designee; (O) the chairperson of the Asian Pacific American
491 Affairs Commission, or his or her designee; (P) the director of the
492 Hispanic Health Council, or his or her designee; (Q) the chairperson of
493 the Office of the Healthcare Advocate, or his or her designee; and (R)
494 eight members of the public, representing communities facing
495 disparities in health status based on race, ethnicity, gender and
496 linguistic ability, who shall be appointed as follows: Two by the
497 president pro tempore of the Senate, two by the speaker of the House
498 of Representatives, two by the minority leader of the Senate, and two
499 by the minority leader of the House of Representatives. Vacancies on
500 the council shall be filled by the appointing authority.

501 Sec. 517. Section 47-66 of the general statutes is repealed and the
502 following is substituted in lieu thereof (*Effective October 1, 2010*):

503 Tribal funds shall be under the care and control of the

504 Commissioner of Environmental Protection [with the advice of the
505 Indian Affairs Council] and may be used for the purposes set forth in
506 section 47-65. Said commissioner shall annually settle his accounts of
507 the affairs of each tribe with the Comptroller, and his report to the
508 Governor shall furnish, with respect to each tribe, a statement of the
509 amount and condition of its fund, an estimate of the value of its lands
510 and the income annually received and the expenditures made by said
511 commissioner from such fund. Said commissioner may maintain an
512 action in his name to recover any property misappropriated from a
513 reservation.

514 Sec. 518. Section 47-66g of the general statutes is repealed and the
515 following is substituted in lieu thereof (*Effective October 1, 2010*):

516 The Commissioner of Environmental Protection [with the advice of
517 the Indian Affairs Council] shall manage the state's interest in Indian
518 affairs not otherwise specified in this chapter, including but not limited
519 to, maintaining state documents, providing information to tribal
520 members and coordinating governmental grant programs.

521 Sec. 519. Subsection (a) of section 47-66i of the general statutes is
522 repealed and the following is substituted in lieu thereof (*Effective*
523 *October 1, 2010*):

524 (a) Each tribal leader shall file with the Governor his name and a
525 written description of the method of selecting tribal leaders and the
526 process by which tribal leaders exercise their authority. The Governor
527 shall file such description with the Secretary of the State, [and the
528 Indian Affairs Council established under section 47-59b.]

529 Sec. 520. Subsection (a) of section 47-66j of the general statutes is
530 repealed and the following is substituted in lieu thereof (*Effective*
531 *October 1, 2010*):

532 (a) On or before March 15, 1990, and annually thereafter, the tribal
533 leader selected in accordance with the method filed under section 47-
534 66i, as amended by this act, shall file a copy of the rules for tribal

535 membership and government and a current membership roll with the
536 Governor. The membership rules may include provisions for
537 revocation of membership. The Governor shall file the rules and
538 membership roll with the Secretary of the State, [and the Indian Affairs
539 Council established under section 47-59b.]

540 Sec. 521. Section 25-102xx of the general statutes is repealed and the
541 following is substituted in lieu thereof (*Effective October 1, 2010*):

542 The Commissioner of Environmental Protection [, in consultation
543 with the River Protection Advisory Committee,] shall prepare a model
544 river protection ordinance which may be used by any municipality in
545 this state in adopting ordinances or regulations for the protection of
546 rivers. Such model ordinance may include, but need not be limited to,
547 recommendations for the modification of municipal plans of
548 development and zoning, subdivision, site plan and wetlands
549 regulations as necessary to allow implementation of a river protection
550 ordinance or regulation. Such recommendations may concern tourism,
551 navigation, utility and transportation rights-of-way and water-
552 dependent recreational, industrial, commercial, agricultural and other
553 uses, as well as proposals for specific setbacks from the river,
554 dimensions of new lots and buildings, restrictions on cutting of
555 vegetation, restrictions on earth-moving for mining or other purposes,
556 prohibited activities and regulation of paving and other forms of
557 impervious ground cover. Such plan may also include
558 recommendations for incentives for property owners to protect lands
559 within the river corridor and to develop such lands in a manner that is
560 compatible with resource protection. Such incentives may include tax
561 credits for donation to appropriate parties of open space easements or
562 land development rights and incentives for cluster development.

563 Sec. 522. Subsection (l) of section 1-79 of the general statutes is
564 repealed and the following is substituted in lieu thereof (*Effective*
565 *October 1, 2010*):

566 (l) "Quasi-public agency" means the Connecticut Development

567 Authority, Connecticut Innovations, Incorporated, Connecticut Health
568 and Education Facilities Authority, Connecticut Higher Education
569 Supplemental Loan Authority, Connecticut Housing Finance
570 Authority, Connecticut Housing Authority, Connecticut Resources
571 Recovery Authority, [Lower Fairfield County Convention Center
572 Authority,] Capital City Economic Development Authority and
573 Connecticut Lottery Corporation.

574 Sec. 523. Section 4d-30 of the general statutes is repealed and the
575 following is substituted in lieu thereof (*Effective October 1, 2010*):

576 As used in this section and sections 4d-31 to 4d-44, inclusive:

577 (1) "Contract" means a contract for state agency information system
578 or telecommunication system facilities, equipment or services, which is
579 awarded pursuant to this chapter or subsection (e) of section 1-205,
580 subsection (c) of section 1-211, subsection (b) of section 1-212, section 4-
581 5, subsection (a) of section 10a-151b [.] or subsection (a) of section 19a-
582 110. [or subsection (b) of section 32-6i.]

583 Sec. 524. Section 4d-47 of the general statutes is repealed and the
584 following is substituted in lieu thereof (*Effective October 1, 2010*):

585 With respect to any state employee whose position is eliminated or
586 who is laid off as a result of any contract or amendment to a contract
587 which is subject to the provisions of this chapter and subsection (e) of
588 section 1-205, subsection (c) of section 1-211, subsection (b) of section
589 1-212, section 4-5, 4a-50, 4a-51, subsection (b) of section 4a-57,
590 subsection (a) of section 10a-151b [.] or subsection (a) of section
591 19a-110, [or subsection (b) of section 32-6i,] or any subcontract for
592 work under such contract or amendment, (1) the contractor shall hire
593 the employee, upon application by the employee, unless the employee
594 is hired by a subcontractor of the contractor, or (2) the employee may
595 transfer to any vacant position in state service for which such
596 employee is qualified, to the extent allowed under the provisions of
597 existing collectively bargained agreements and the general statutes. If
598 the contractor or any such subcontractor hires any such state employee

599 and does not provide the employee with fringe benefits which are
600 equivalent to, or greater than, the fringe benefits that the employee
601 would have received in state service, the state shall, for two years after
602 the employee terminates from state service, provide to the employee
603 either (A) the same benefits that such employee received from the
604 state, or (B) compensation in an amount which represents the
605 difference in the value of the fringe benefits that such employee
606 received when in state service and the fringe benefits that such
607 employee receives from the contractor or subcontractor.

608 Sec. 525. Section 4d-48 of the general statutes is repealed and the
609 following is substituted in lieu thereof (*Effective October 1, 2010*):

610 No contract or subcontract for state agency information system or
611 telecommunication system facilities, equipment or services may be
612 awarded to any business entity or individual pursuant to this chapter
613 or subsection (e) of section 1-205, subsection (c) of section 1-211,
614 subsection (b) of section 1-212, section 4-5, subsection (a) of section
615 10a-151b [J] or subsection (a) of section 19a-110 [or subsection (b) of
616 section 32-6i] if such business entity or individual previously had a
617 contract with the state or a state agency to provide information system
618 or telecommunication system facilities, equipment or services and such
619 prior contract was finally terminated by the state or a state agency
620 within the previous five years for the reason that such business entity
621 or individual failed to perform or otherwise breached a material
622 obligation of the contract related to information system or
623 telecommunication system facilities, equipment or services. If the
624 termination of any such previous contract is contested in an arbitration
625 or judicial proceeding, the termination shall not be final until the
626 conclusion of such arbitration or judicial proceeding. If the fact-finder
627 determines, or a settlement stipulates, that the contractor failed to
628 perform or otherwise breached a material obligation of the contract
629 related to information system or telecommunication system facilities,
630 equipment or services, any award of a contract pursuant to said
631 chapter or sections during the pendency of such arbitration or
632 proceeding shall be rescinded and the bar provided in this section shall

633 apply to such business entity or individual.

634 Sec. 526. Section 47-65 of the general statutes is repealed and the
635 following is substituted in lieu thereof (*Effective October 1, 2010*):

636 (a) The Commissioner of Environmental Protection [with the advice
637 of the Indian Affairs Council] shall have the care and management of
638 reservation lands. The commissioner and the council shall establish the
639 boundaries of such reservations by land survey and shall file a map of
640 the same in the land records of the appropriate towns.

641 (b) All reservation buildings not privately owned shall be subject to
642 the care and management of the Commissioner of Environmental
643 Protection. The commissioner [with the advice of the Indian Affairs
644 Council] shall, upon the petition of the resident make major repairs
645 and improvements to the exterior of any such building and its heating,
646 water, electric, sewage disposal and plumbing systems as are
647 necessary to insure habitable living conditions. The resident of any
648 building shall assume responsibility for the interior maintenance of
649 floors, walls and ceilings and minor maintenance of the building and
650 its heating, water, electric, sewage disposal and plumbing systems,
651 provided the commissioner shall supply necessary materials for such
652 systems.

653 [(c) The council may, upon petition of an Indian resident without
654 sufficient means to support himself, provide assistance in an amount
655 necessary to maintain a standard of living in the home compatible with
656 the well-being of the resident. The council shall provide other services
657 as it deems necessary to insure the well-being of all persons residing
658 on the reservations.]

659 [(d)] (c) The commissioner [and the council] may adopt and amend
660 regulations pursuant to chapter 54 to carry out the provisions of
661 subsections (a) and (b) of this section. [The council shall adopt
662 regulations which prescribe eligibility standards for assistance and
663 services under subsection (c) of this section.]

664 [(e)] (d) The Governor is hereby designated the administrative agent
665 of the state to apply for any funds or other aid, cooperate and enter
666 into contracts and agreements with the federal government, the Indian
667 Housing Authority or any other appropriate state or local agency for
668 the purpose of providing necessary services to housing projects to be
669 located on Indian reservations within the state of Connecticut or for
670 any other purpose which the Congress of the United States or the
671 General Assembly has authorized or may authorize for expenditures
672 compatible with the services provided for in this chapter. The
673 Governor is authorized in the name of the state to make all
674 applications, sign all documents, give assurances and do all other
675 things necessary to carry out the provisions of this chapter.

676 Sec. 527. Section 4-67m of the general statutes is repealed and the
677 following is substituted in lieu thereof (*Effective October 1, 2010*):

678 (a) The Office of Policy and Management, in consultation with each
679 budgeted state agency, shall develop, for state budgeting purposes,
680 specific biennial goals and objectives and quantifiable outcome
681 measures, which shall not be limited to measures of activities, for each
682 program, service and state grant administered or provided by such
683 agency. The Secretary of the Office of Policy and Management shall
684 submit an annual report concerning such goals, objectives and
685 measures to the joint standing committee of the General Assembly
686 having cognizance of matters relating to appropriations and the joint
687 standing committee having cognizance of matters relating to the
688 agency. For the biennium beginning July 1, 1995, and for each
689 biennium thereafter, the annual report shall include an evaluation of
690 the impact of each program, service and state contract on the family.

691 (b) The goals, objectives and measures developed for each such
692 agency pursuant to subsection (a) of this section shall be implemented
693 for the biennium beginning July 1, 1993. The Office of Policy and
694 Management, in consultation with each such agency, shall review and
695 revise such goals, objectives and measures for each biennium
696 thereafter.

697 [(c) For the biennium beginning July 1, 1995, and for each biennium
698 thereafter, the annual report submitted pursuant to subsection (a) of
699 this section shall evaluate the progress of budgeted state agencies in
700 achieving benchmarks established under section 4-67r.]

701 Sec. 528. Subsection (b) of section 46a-56 of the general statutes is
702 repealed and the following is substituted in lieu thereof (*Effective*
703 *October 1, 2010*):

704 (b) The commission may, when it is deemed in the best interests of
705 the state, exempt a contractor from the requirements of complying
706 with any or all of the provisions of section 4a-60, 4a-60a, 46a-68c, 46a-
707 68d or 46a-68e in any specific contract. Exemptions under the
708 provisions of this section may include, but not be limited to, the
709 following instances: (1) If the work is to be or has been performed
710 outside the state and no recruitment of workers within the limits of the
711 state is involved; (2) those involving less than specified amounts of
712 money or specified numbers of workers; (3) to the extent that they
713 involve subcontracts below a specified tier. The commission may also
714 exempt facilities of a contractor which are in all respects separate and
715 distinct from activities of the contractor related to the performance of
716 the contract, provided such an exemption shall not interfere with or
717 impede the effectuation of the purposes of this section and sections 4a-
718 60, 4a-60a, 4a-60g [, 4a-62] and 46a-68b to 46a-68k, inclusive.

719 Sec. 529. Section 46a-68b of the general statutes is repealed and the
720 following is substituted in lieu thereof (*Effective October 1, 2010*):

721 As used in this section and sections 4a-60, 4a-60a, 4a-60g, [4a-62,]
722 46a-56 and 46a-68c to 46a-68k, inclusive: "Public works contract" means
723 any agreement between any individual, firm or corporation and the
724 state or any political subdivision of the state other than a municipality
725 for construction, rehabilitation, conversion, extension, demolition or
726 repair of a public building, highway or other changes or improvements
727 in real property, or which is financed in whole or in part by the state,
728 including, but not limited to, matching expenditures, grants, loans,

729 insurance or guarantees.

730 Sec. 530. Section 46a-68c of the general statutes is repealed and the
731 following is substituted in lieu thereof (*Effective October 1, 2010*):

732 In addition to the provisions of section 4a-60, each contractor with
733 fifty or more employees awarded a public works contract in excess of
734 fifty thousand dollars in any fiscal year, but not subject to the
735 provisions of section 46a-68d, shall develop and file with the
736 commission an affirmative action plan which shall comply with
737 regulations adopted by said commission. Failure to develop an
738 approved affirmative action plan pursuant to this section shall act as a
739 bar to bidding on or the award of future contracts until such
740 requirement has been met. When the commission approves an
741 affirmative action plan pursuant to this section, it shall issue a
742 certificate of compliance to the contractor. This certificate shall be
743 prima facie proof of the contractor's eligibility to bid or be awarded
744 contracts for a period of two years from the date of the certificate. Such
745 certificate shall not excuse the contractor from monitoring by the
746 commission or from the reporting and record-keeping requirements of
747 sections 46a-68e and 46a-68f. The commission may revoke the
748 certificate of a contractor if the contractor does not implement its
749 affirmative action plan in compliance with this section and sections 4a-
750 60, 4a-60g, [4a-62,] 46a-56, 46a-68b, 46a-68d, and 46a-68e to 46a-68k,
751 inclusive.

752 Sec. 531. Subsection (e) of section 10-392 of the general statutes is
753 repealed and the following is substituted in lieu thereof (*Effective*
754 *October 1, 2010*):

755 (e) Wherever the words "State Commission on the Arts",
756 "Connecticut Historical Commission", "Office of Tourism",
757 "Connecticut Film, Video and Media Office" and "Connecticut
758 Commission on Arts, Tourism, Culture, History and Film" are used in
759 the following sections of the general statutes, or in any public or
760 special act of the 2003 or 2004 session the words "Connecticut

Commission on Culture and Tourism" shall be substituted in lieu thereof: 3-110f, 3-110h, 3-110i, 4-9a, 4b-53, 4b-60, 4b-64, [4b-66a,] 7-147a, 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-2j, 10-382, as amended by this act, 10-384, 10-385, 10-386, 10-387, 10-388, 10-389, 10-391, 10a-111a, 10a-112, as amended by this act, 10a-112b, 10a-112g, 11-6a, 12-376d, 13a-252, 19a-315b, 19a-315c, 22a-1d, 22a-19b, [25-102qq,] 25-109q, 29-259 and 32-6a.

Sec. 532. Section 25-102qq of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(a) The Commissioner of Environmental Protection shall be responsible for state-wide river policy and comprehensive protection of rivers. The commissioner shall: (1) Identify rivers or river segments to be protected, (2) designate protected river corridors and (3) approve, reject or modify river corridor maps and management plans submitted pursuant to sections 25-205 and 25-235.

(b) The commissioner may establish a river management and protection program designed to improve the management and protection of the state's rivers.

[(c) If the commissioner undertakes to establish such a program, he shall establish a River Protection Advisory Committee to assist him in developing the river protection program. The committee shall consist of the following members whose terms shall expire on October 1, 1992: (1) The Commissioners of Public Health, Transportation, Economic and Community Development and Agriculture, the Secretary of the Office of Policy and Management, the director of the Connecticut Commission on Culture and Tourism, and the State Archaeologist, or their designees; and (2) two members representing the business community, two members representing public service companies, seven members representing environmental and recreational organizations, four members representing river protection organizations, one member representing municipalities with a river or river segment within their borders, two members representing

793 regional planning agencies, three members representing related
794 professional practices and one member representing the public, which
795 members shall be appointed by the commissioner. On and after
796 October 1, 1992, the committee's membership shall consist of: (1) The
797 Commissioners of Public Health, Transportation, Economic and
798 Community Development and Agriculture, the Secretary of the Office
799 of Policy and Management, the director of the Connecticut
800 Commission on Culture and Tourism, and the State Archaeologist, or
801 their designees; and (2) one member representing the business
802 community, and one member representing a related professional
803 practice appointed by the Governor; one member representing an
804 environmental or recreational organization, one member representing
805 a river protection organization and one member representing a related
806 professional practice appointed by the president pro tempore of the
807 Senate; one member representing an environmental or recreational
808 organization, one member representing a river protection organization
809 and one member representing a related professional practice
810 appointed by the speaker of the House of Representatives; one
811 member representing an environmental or recreational organization,
812 one member representing a municipality with a river or river segment
813 within its borders and one member representing the business
814 community appointed by the majority leader of the Senate; two
815 members representing an environmental or recreational organization,
816 one member representing a river protection organization and one
817 member representing a public service company appointed by the
818 minority leader of the Senate; one member representing an
819 environmental or recreational organization, one member representing
820 a public service company and one member representing a regional
821 planning agency appointed by the majority leader of the House of
822 Representatives; one member representing an environmental or
823 recreational organization, one member representing a river protection
824 organization, one member of the public and one member representing
825 a regional planning agency appointed by the minority leader of the
826 House of Representatives.]

827 [(d)] (c) In developing the river protection program, the
828 commissioner [, with the assistance of the River Protection Advisory
829 Committee,] may: (1) Develop a proposal for a state-wide river
830 management and protection program, which shall include but not be
831 limited to: (A) The coordination of existing protective state authorities
832 as a means of improving river management and protection; (B) the
833 development of any statutory modifications to provide effective
834 regional and interstate cooperation for the development of river
835 management plans; (C) the development of recommendations for river
836 protection for use in regulations of local land use agencies; and (D) the
837 development of any other needed protection or management of the
838 state's rivers, as determined by the commissioner; (2) define the river
839 resources to be inventoried and assessed; (3) conduct a state-wide
840 inventory and assessment of the state's rivers; (4) develop a state-wide
841 data base of river resource information to facilitate environmental
842 planning, regulatory and management decisions; (5) develop a river
843 classification system; (6) develop criteria for identifying rivers or river
844 segments for designation as protected rivers and recommended
845 priorities for the management of the rivers or river segments; and (7)
846 develop a program to educate the public on river protection issues and
847 ensure public involvement in the development and implementation of
848 the river protection program.

849 Sec. 533. Section 32-4h of the general statutes is repealed and the
850 following is substituted in lieu thereof (*Effective October 1, 2010*):

851 Not later than August 1, 1997, and annually thereafter, the
852 chairperson of the board of directors of the Connecticut Development
853 Authority and the chairperson of the board of directors of Connecticut
854 Innovations, Incorporated shall submit a report to the joint standing
855 committee of the General Assembly having cognizance of matters
856 relating to the Department of Economic and Community
857 Development, in accordance with the provisions of section 11-4a,
858 which details the amount of bond funds expended during the previous
859 fiscal year on each economic cluster in the state by the quasi-public
860 agency administered by such chairperson. As used in this section,

861 "economic cluster" means a grouping of industries linked together
862 through customer, supplier or other relationships.

863 Sec. 534. Section 82 of public act 03-6 of the June 30 special session,
864 section 46 of public act 07-167, section 2 of public act 07-220 and public
865 act 08-136 are repealed. (*Effective October 1, 2010*)

866 Sec. 535. Special acts 84-59, 92-6, 96-14 and 97-7 are repealed.
867 (*Effective October 1, 2010*)

868 Sec. 536. Subdivision (29) of subsection (a) of section 2c-2b and
869 sections 2-110, 3-115d, 4-67r, 4a-62, 4b-66a, 7-520, 7-521, 8-385, 17a-485,
870 17a-485a, 17a-485b, 17-485g, 19a-6g, 22-26e, 25-32i, 32-1g, 32-4f, 32-6i,
871 32-180 to 32-182, inclusive, 32-200 to 32-212, inclusive, 32-245, 32-246,
872 32-511 and 47-59b of the general statutes are repealed. (*Effective October*
873 *1, 2010*)"